

## Remarks

Claims 2-6, 9-11, 23, 25, and 27-32 are currently pending and stand rejected. Claims 27-30 have been amended. Applicant asserts that the claims are now in condition for allowance as set forth more fully below.

### 103 Rejections

Claims 2-6, 9-11, 23, 25, 27, 28, and 30 stand rejected under 35 USC 103(a) as being unpatentable over the Metzler publication and the Zarowitz publication in view of the Kraft publication. Claim 29 stands reject under 35 USC 103(a) as being unpatentable over the Metzler publication in view of Zarowitz. Claims 31 and 32 stand rejected under 35 USC 103(a) as being unpatentable over Metzler in view of Melchione (US Pat 5,930,764). Applicants respectfully traverse these rejections.

### Claims 27, 2-6, 9-11, 28, and 31

The Office Action has rejected claim 27 by stating that Metzler and Zarowitz teach all of the elements except receiving billing information for review by the sales representative. However, the Office Action states that Kraft teaches that concepts of sales force automation also applied to collections and teaches the capability to review billing information in relation to contact management. The Office Action further states that it would have been obvious to combine the capabilities of Kraft with those of Metzler and Zarowitz. In applying Metzler to the recitations regarding quality of the customer contact, the Examiner has stated that Metzler teaches that prospects are rated as A, B, C, or S to denote hot prospect, cool prospect, and suspect. The undersigned interprets the rejection to be stating that rating the prospects equates to storing information regarding the quality of the customer contact as recited in claim 27.

Amended claim 27 recites, among other things, receiving and storing information in the database regarding the quality of one or more contacts with the particular entity. Claim 27 further recites that the quality of one or more contacts provides at least an indication of whether the contact with the particular entity is for post-sale maintenance or for offering future sales opportunities.

It appears that the Office Action has previously interpreted “the quality of the customer contact” to reflect the interest the customer has in a future sale (hot, cold, or suspect) rather than interpreting “the quality of the customer contact” to reflect the content of the discussion between the sales representative and the customer. Amended claim 27 now makes it even more evident that “the quality of the customer contact” relates to at least the content of the discussion as opposed to merely the interest of the customer. Specifically, as recited in claim 27, the quality indicates at least whether the discussion is for post-sale maintenance or for offering future sales opportunities, as opposed to merely indicating how interested the customer is in future sales as in Metzler.

This is significant because it may be important to know whether proper post-sale follow ups are occurring in addition to knowing whether future sales offerings are occurring. For example, a sales representative who only offers future sales is not likely to be properly following-up with customers post-sale, which may result in the post-sale customers looking elsewhere for future sales. Therefore, it is important to track both post-sale maintenance and future sales offerings. In Metzler, tracking hot, cold and suspect is only tracking the interest of the customer for future sales and does not provide the benefit of also knowing whether the sales representative has also done proper post-sale follow-ups. To the extent Zarowitz tracks follow-up calls, there is no teaching of tracking follow-ups specifically for post sales maintenance in relation to tracking offerings of future sales. Therefore, claim 27 is allowable over the combination of Metzler, Zarowitz, and Kraft for at least these reasons.

Dependent claims 2-6, 9-11, 28, and 31 depend from an allowable claim 27 and are also allowable for at least the same reasons. Furthermore, one or more of claims 2-6, 9-11, 28, and 31 recite additional features patentable over the combination of cited references. For example, amended claim 28 recites that the first item of contact information is characterized as having a first quality that provides at least an indication that the contact with the particular entity is a for post-sale maintenance and the second item of contact information is characterized as having a second quality related to the particular entity different from the first quality where the second quality provides at least an indication that the contact with the particular entity is for offering future sales opportunities.

### Claims 29 and 23

The Office Action has rejected claim 29 by stating that Metzler teaches all of the elements except for reviewing the information of the quality of the customer contacts to determine performance of the employee. However, the Office Action states that Zarowitz teaches software that allows reports to be set up to track the progress of a project or employee's performance. It is further states that it would have been obvious to combine Zarowitz with Metzler to provide for evaluating the employees as related to their sales responsibilities.

Amended claim 29 recites, among other things, receiving customer contact information related to a customer contact from the employee, including information related to the quality of the customer contact where the information related to the quality of the customer contact provides at least an indication of whether the customer contact is for post-sale maintenance or for offering future sales opportunities. As discussed above in relation to claim 1, Metzler's disclosure regarding rating prospects is concerned with the interest of the customer for future sales as opposed to tracking whether the discussion is a post-sale follow up versus an offering of future sales. Furthermore, to the extent Zarowitz tracks follow-up calls, there is no teaching of tracking follow-ups specifically for post sales maintenance in relation to tracking offerings of future sales. Therefore, claim 27 is allowable over the combination of Metzler and Zarowitz for at least these reasons.

Dependent claim 23 depends from an allowable claim 29 and is also allowable for at least the same reasons.

### Claims 30, 25, and 32

The Office Action has rejected claim 30 by stating that it recites substantially the same limitations as claim 27 with the distinction being a system rather than a method. Therefore, the same rejection of claim 27 was applied to claim 30. The undersigned challenges the assertion that these two independent claims have the same limitations. Even prior to the current amendments claim 27 dealt with quality of customer contacts and claim 30 did not. Note that claim 25, depending from claim 30, introduces the

quality of the customer contact. Furthermore, claim 30 dealt with classification of customers and claim 27 did not. The undersigned assumes that the Office Action, in stating that the limitations are the same, has treated the quality of customer contact the same as classification of the customer.

The classification of the customer as in claim 30 is different than the quality of the customer contact as in claim 27. As noted above, amended claim 27 recites that the quality of the customer contact refers at least to whether it was for post-sales maintenance or for offering of future sales opportunities. Thus, the quality of the customer contact deals with the content of the discussion between the sales representative and the customer.

Claim 30, on the other hand, recites classification of the customer, as opposed to dealing with the content of the discussion between the customer and the sales representative. Furthermore, claim 30 has been amended to further clarify classification of the customer. Claim 30 recites, among other things, that the information stored is associated with a particular module representing a classification of customers, wherein the customers are classified by how contact with the customer has occurred, the classifications including at least reactive and proactive, where customers classified as reactive are those that initiated the contact with the sales representative and where customers classified as proactive are those where a sales representative initiated the contact with the customer. Whether the customer is classified as proactive or reactive is entirely different from the quality of the customer contact. Thus, claim 30 does not recite the same limitations as claim 27. Therefore, the rejections noted for claim 27 are inapplicable to claim 30. Accordingly, claim 30 is allowable over the rejection based on the cited combination for at least these reasons.

Dependent claims 25 and 32 depend from an allowable claim 30 and are also allowable for at least the same reasons.

### Conclusion


Applicants assert that the application including claims 2-6, 9-11, 23, 25, and 27-32 is now in condition for allowance. Applicants request reconsideration in view of the

amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees beyond are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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